

SENATE

REGULAR CALENDAR

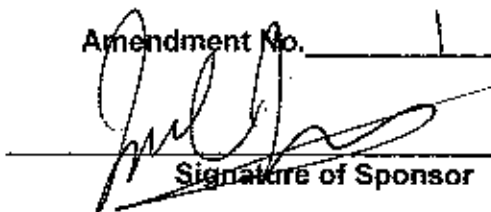
AMENDMENT PACKET

MONDAY, APRIL 11, 2011



SA0116

Amendment No. 1


Signature of Sponsor

FILED	
Date	<u>3-23-11</u>
Time	<u>8:00 a.m.</u>
Clerk	<u>81</u>
Comm. Amdt.	<u>1</u>

AMEND Senate Bill No. 1912

House Bill No. 1189*

by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 8, Part 1, is amended by adding the following language as a new, appropriately designated section thereto:

56-8-1.

Notwithstanding any other law, title 50 and this title shall provide the sole and exclusive statutory remedies and sanctions applicable to an insurer, person, or entity licensed, permitted, or authorized to do business under this title for alleged breach of, or for alleged unfair or deceptive acts or practices in connection with, a contract of insurance as such term is defined in § 56-7-101(a). Nothing in this section shall be construed to eliminate or otherwise affect any:

- (1) Remedy, cause of action, right to relief or sanction available under common law;
- (2) Right to declaratory, injunctive or equitable relief, whether provided under title 29 or the Tennessee Rules of Civil Procedure; or
- (3) Statutory remedy, cause of action, right to relief or sanction referenced in title 50 or this title.



03991358



00472533



SA0209

Amendment No. 1


Signature of Sponsor

FILED	
Date	<u>4-11-11</u>
Time	<u>11:30am</u>
Clerk	<u>Amj</u>
Comm. Amdt.	_____

AMEND Senate Joint Resolution No. 127*

by deleting the following language:

Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother.

and by substituting instead the following:

Nothing in this Constitution secures or protects a right to abortion, except in cases when the procedure is medically necessary to save the life of the pregnant woman. Nothing in this Constitution requires the funding of an abortion. No person shall perform a partial-birth abortion.



03249110



00595902



SA0210

Amendment No. 2


Signature of Sponsor

FILED
Date <u>4-11-11</u>
Time <u>11:30am</u>
Clerk <u>Amy</u>
Comm. Amdt. _____

AMEND Senate Joint Resolution No. 127*

by deleting the following language:

Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother.

and by substituting instead the following:

Nothing in this Constitution secures or protects a right to abortion, except in cases involving rape or incest or in cases when the procedure is medically necessary to save the life of the pregnant woman. Nothing in this Constitution requires the funding of an abortion. No person shall perform a partial-birth abortion.



03462595



00595802



SA0181

Amendment No. 1

Jim Krall
Signature of Sponsor

FILED
Date <u>4/1/11</u>
Time <u>2:49 pm</u>
Clerk <u>MBG</u>
Comm. Amdt. <u>1</u>

AMEND Senate Bill No. 134

House Bill No. 129*

By deleting SECTION 1 in its entirety and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 55-8-201(b), is amended by deleting the language "July 1, 2011" and substituting instead the following language "January 1, 2012".

AND FURTHER AMEND by deleting SECTION 2 in its entirety and by substituting instead the following language:

SECTION 2. Tennessee Code Annotated, Section 55-8-201, is amended by adding the following populations in the table in subsection (b):

not less than:

nor more than:

460

470

1590

1595

7,840

7,850

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 55-8-201(d), is amended by adding the following language as a new subdivision:

(8) The driver possesses valid liability insurance for such golf cart.



01471826



00542473



SA0190

Amendment No. 1



Signature of Sponsor

FILED	
Date	<u>4-6-11</u>
Time	<u>9:45 AM</u>
Clerk	<u>ADW</u>
Comm. Amdt.	_____

AMEND Senate Bill No. 396*

House Bill No. 457

By deleting the effective date section in its entirety and substituting instead the following:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



02966577



00461371



SA0191

Amendment No. 1

Beavers

Signature of Sponsor

FILED

Date

4-6-11

Time

9:45 A.M.

Clerk

ADW

Comm. Amdt. _____

AMEND Senate Bill No. 655

House Bill No. 724*

By deleting in SECTION 1 the amendatory language in subsection (e) "TBI shall use" in its entirety and by substituting instead the language "TBI may use".



05721094



00523173



SA0187

Amendment No. 1

[Handwritten Signature]
Signature of Sponsor

FILED	
Date	<u>4-5-11</u>
Time	<u>3:15pm</u>
Clerk	<u>any</u>
Comm. Amdt.	<u>1</u>

AMEND Senate Bill No. 730*

House Bill No. 1338

By deleting SECTION 1 of the bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-107, is amended by deleting the language "if the referendum was limited to residents in the unincorporated areas of the county".



04858319



00488072



SA0192

Amendment No. 1

Beames

Signature of Sponsor

FILED	
Date	<u>4-6-11</u>
Time	<u>9:45 AM</u>
Clerk	<u>ADW</u>
Comm. Amdt.	_____

AMEND Senate Bill No. 767*

House Bill No. 1881

By deleting from subsection (l) of the amendatory language of SECTION 4, the language "after a full hearing" and substituting instead the language "after a hearing".



07468638



00587171

FILED

Date 4-7-11
Time 8:06 am
Clerk AMT
Comm. Amdt. 1

SA0200

Amendment No. 1
Signature of Sponsor

AMEND Senate Bill No. 836

House Bill No. 799*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 70-4-110, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)(1) It is unlawful for any person, or one (1) or more of a group of persons together, to willfully throw or cast, or cause to be thrown or cast, the rays of a spotlight, headlight, or other artificial light from any motor vehicle or vessel or with the aid of any motor vehicle or vessel, on or from any highway, or in any field, woodland, or forest, or the waters of the state, in an apparent attempt or intent to locate deer by the use of such light, unless such person or persons direct such light onto property owned by such person or one of the persons involved, or such person or group of persons has written permission from the landowner to willfully throw or cast, or cause to be thrown or cast, the rays of a spotlight, headlight, or other artificial light onto the property of the landowner. Such written permission must be in immediate possession at all times and the individual shall display same upon demand of law enforcement.

(2) Notwithstanding subdivision (a)(1), it is unlawful to willfully throw or cast, or cause to be thrown or cast, the rays of a spotlight, headlight, or other artificial light from any motor vehicle or vessel or with the aid of any motor vehicle or vessel, at any time from or on any public roadway.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



03031536



00580134



SA0188

Amendment No. 1

[Signature]
Signature of Sponsor

FILED	
Date	4-5-11
Time	3:15pm
Clerk	amy
Comm. Amdt.	1

AMEND Senate Bill No. 923

House Bill No. 708*

By deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-6-102(a)(1), is amended by deleting the language "five (5) days" and substituting instead the language "seven (7) days".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



05380824



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SA0109

Amendment No. 1


Signature of Sponsor

FILED

Date 3-23-11

Time 8:00 a.m.

Clerk gt

Comm. Amdt. 1

AMEND Senate Bill No. 1031*

House Bill No. 1605

by deleting the language "business or organization" in § 50-1-204 in Section 2 and substituting instead the language "person, firm, corporation or association of any kind".

AND FURTHER AMEND by deleting Section 3 in its entirety and substituting instead the following language:

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to agreements entered into on or after the effective date of this act.



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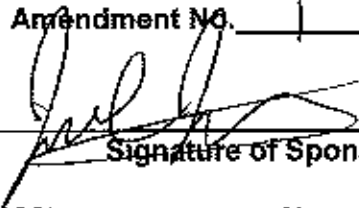


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SA0152

Amendment No. 1


Signature of Sponsor

FILED

Date 3.30.11

Time 9:46am

Clerk MBC

Comm. Amdt. 1

AMEND Senate Bill No. 1032*

House Bill No. 1833

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-23-204 (b), is amended by deleting subdivision (1) in its entirety and substituting instead the following:

(b)

(1) Any employee of this state who engages or participates in a work stoppage or who authorizes or encourages a work stoppage commits gross misconduct, shall immediately and permanently forfeit the right to have deductions from compensation authorized in this section, and may be subject to immediate termination of employment. The commissioner of finance and administration is authorized and required to cease and discontinue deducting membership dues under this section for an organization or association, if the commissioner determines that twenty percent (20%) or more of the members of the organization or association in a single work location or facility have engaged in a work stoppage of any kind after June 19, 1981. If the organization or association has members at more than one (1) work location or facility, upon the determination that the members of an organization have engaged in a work stoppage, the commissioner shall cancel and revoke the deduction of membership dues for the members of the organization employed at the work location or facility where the work stoppage has occurred.

SECTION 2. Tennessee Code Annotated, Section 8-50-109, is amended by deleting such section in its entirety and substituting instead the following:

(a) The chief elected officer of any employee association that has qualified for payroll deductions for association dues in accordance with § 8-23-204, shall, upon



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application to the employee's department head, be allowed up to twelve (12) months leave of absence without pay to perform the responsibilities and duties of such person's office. This subsection (a) shall not apply to a chief elected officer of any employee association who is under the executive grade pay plan or the doctor and dentist pay plan. At the option of such person, the person may be paid for any accrued annual leave or any accrued annual leave may be carried forward to such time as the person returns to such person's position in state government. In the event the person elects to be paid for annual leave, the period of time for the leave of absence without pay shall be accordingly reduced.

(b) At the end of the period of leave, any person who has taken such leave shall be entitled to return to the person's former position at the same place of employment in the same class or rank in the division or department which such person held prior to taking such leave.

(c) Any leave granted under this section shall not diminish any employee rights, including accrued but unused leave, longevity or those arising from longevity, or time in grade.

(d) Such person shall not be entitled during the period of such leave to the benefits that person is otherwise entitled to, including, but not limited to, insurance and retirement.

SECTION 3. Tennessee Code Annotated, Section 8-50-110, is amended by deleting such section in its entirety and substituting instead the following:

(a) Subject to the limitations established in this section, an officer or an employee who belongs to any employee association that is qualified for payroll deduction for association dues as set forth in § 8-23-204 shall be entitled to use two (2) days of the employee's accrued annual leave pursuant to part 8 of this chapter each year to attend a statewide meeting, conference, or convention of the association. The total number of officers or employees entitled to such annual leave shall not exceed three percent (3%) of the total number of employees who are members of the

association according to the latest certification of the chief administrative officer made to the commissioner of finance and administration as required by § 8-23-204. Each such association may determine the method of allocating such leave among its members and shall, not more than thirty (30) nor less than fifteen (15) days prior to the date such leave is to be taken, certify to the commissioner of human resources the names of each person and that person's alternates who have been selected by the association as being entitled to such annual leave to attend the statewide meeting, conference, or convention.

(b) The first ten percent (10%) of the employees of any work unit shall be granted such absence from work with pay based upon accrued annual leave. More than ten percent (10%) of the employees of any work unit may be granted such absence from work with pay at the discretion of the head of the department or agency.

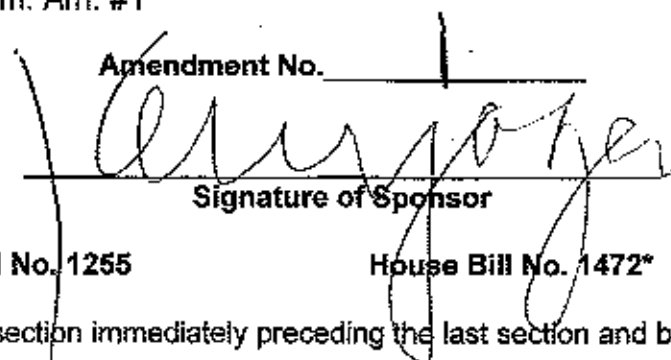
SECTION 4. This act shall take effect upon becoming law, the public welfare requiring

it.



SA0186

Amendment No. 1


Signature of Sponsor

FILED

Date 4-5-11

Time 3:15pm

Clerk AMY

Comm. Amdt. 1

AMEND Senate Bill No. 1255

House Bill No. 1472*

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

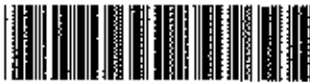
SECTION ____ It is the intent of the general assembly that this act not increase the amount appropriated for compensation and travel expenses due to the increase in members serving on the commission. Each member shall receive compensation and travel expenses in accordance with § 2-11-107 and § 2-11-108.



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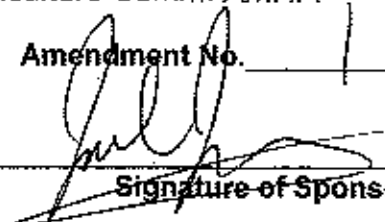


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SA0197

Amendment No. 1


Signature of Sponsor

FILED	
Date	<u>4/6/11</u>
Time	<u>2:10</u>
Clerk	<u>nm</u>
Comm. Amdt.	<u>1</u>

AMEND Senate Bill No. 1538*

House Bill No. 2004

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-61-116(q), is amended by removing the period in the last sentence of subsection (q) and adding the following:

; provided, however, that the commissioner may require assignments of external review organizations on a random basis if such random assignment is required per the direction of the United States Department of Health and Human Services. The commissioner is hereby granted emergency rulemaking authority to implement random assignments pursuant to this subsection.

SECTION 2. Tennessee Code Annotated, Section 56-61-118 by removing the period in the last sentence of subsection (o) and adding the following:

; provided, however, that the commissioner may require assignments of external review organizations on a random basis if such random assignment is required per the direction of the United States Department of Health and Human Services. The commissioner is hereby granted emergency rulemaking authority to implement random assignments pursuant to this subsection.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.



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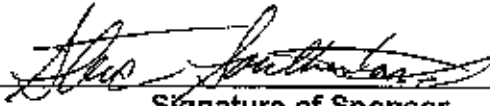


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SA0203

Amendment No. 1


Signature of Sponsor

FILED	
Date	<u>4.7.11</u>
Time	<u>8:00am</u>
Clerk	<u>AMT</u>
Comm. Amdt.	<u>1</u>

AMEND Senate Joint Resolution No. 86* <HB>

By adding the following between the first and second resolving clauses:

BE IT FURTHER RESOLVED, that nothing in this resolution shall require the
expenditure of state funds.



09585078



00592805



SA0083

Amendment No. 1


Signature of Sponsor

FILED

Date 3-16-11

Time 3:40 pm

Clerk Amy

Comm. Amdt. 1

AMEND Senate Bill No. 829*

House Bill No. 1725

By adding the following language at the end of the amendatory language of SECTION 1 of the bill:

This section shall only apply in a municipality that retains for itself the exclusive franchise to provide collection, removal and disposal of solid waste, and not in any municipality that grants an exclusive franchise to a private entity by contract to provide such services.



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